

**REMARKS**

In accordance with the above amendments, claim 1 has been amended, claims 1-7, 10 and 13-15 remain under consideration in the present application, claims 8-9, 11-12 and 16 having been deemed withdrawn from further consideration as being directed to a non-elected species/invention by the Examiner. No claim stands as having been allowed.

**Claim Rejection Under 35 USC § 102(b).**

Claims 1-7 and 13-15 stand rejected under 35 USC § 102(b) as being anticipated by Bustamante et al (USPN 3,778,217). This rejection is respectfully traversed.

The Bustamante et al reference discloses an extruding die for extruding an article having a multiplicity of ducts through its length. That device is of a multi-piece construction having a removable taper and two removable spiders, 2 and 3, which carry and define a plurality of mandrels for forming the ducts in the extruded article. The design of Bustamante et al '217 clearly suffer from all the drawbacks of the prior art which the present invention seeks to overcome. Note that the path of the material to be extruded is forced in against the pins in all cases at an angle from the side (see Figure 1b) in contrast to the totally parallel extrusion of the material of the present invention. The extrusion device of the reference does not have an unrestricted tapered entry as required in (a) of claim 1. The reference further fails to teach or suggest an array of die pins attached

to and carried by the radial struts of a central webbing as required by (b) and (c) of claim 1 of the present application. These are examples of clear differences.

It is well known that in order for a reference to anticipate a claim it must disclose each and every element of that claim and based on the differences enumerated above and other differences, the Bustamante et al '217 reference does not meet this requirement. Claims 2-7 and 13-15 clearly contain additional limitations also not taught or suggested by the reference. Accordingly, withdrawal of the rejection under 35 USC § 102(b) is respectfully requested.

Claim 10 has been rejected under 35 USC § 103(a) as being unpatentable over the Bustamante et al '217 reference also. Thus, the reference is deemed to disclose an extrusion die as shown and the non-round pin shape is said to be an obvious matter of design choice. This rejection is respectfully traversed.

By reason of the examples enumerated above and for other reasons, it is believed that the reference does not disclose an extrusion die as claimed in the present application nor is it believed to render the claimed design obvious by any means. Thus, claim 10 is believed to be patentable even as depending from claim 1 which is believed to present a clear inventive step over the cited reference.

The drawing figures have been objected to under 37 CFR 1.83(a). Pins of non-round cross section (claim 10) are deemed

not be shown in the drawings so that they must either be shown in the drawings or canceled from the claims. In this regard, the Examiner is requested to consider Figure 5 and applicants' specification at page 7, lines 6-9, which clearly illustrates and describes trapezoidal (non-round) shaped pins 70.

Based on the above amendments, taken together with the remarks herein, applicants believe their claims clearly present an inventive step over the applied reference and reconsideration by the Examiner and allowance of the claims is respectfully requested.

Should issues remain which, in the opinion of the Examiner, could be resolved by telephone interview, he is invited to contact the undersigned attorney at his convenience to discuss same.

Should the Examiner not be inclined to allow the claims, entry of this Amendment is requested in view of the fact that it will clearly reduce issues for taking an Appeal.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Registration No. 26205  
820 International Centre  
900 Second Avenue So.  
Minneapolis, MN 55402  
(612) 339-7461

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Amendment submitted in response to the final Official Action dated June 2, 2006 and Transmittal Letter in application Serial No. 10/698,091, filed on October 31, 2003, of William J. Worrell, Jr., et al, entitled "PROPELLANT EXTRUSION DIE" are being sent by facsimile transmission to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 3, 2006.



Barbara L. Davis  
on behalf of C. G. Mersereau  
Attorney for Applicant

Date of Signature: August 3, 2006